

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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This document relates to:

Underwriting Members of Lloyd's Syndicate 2, et al. v. Al Rajhi Bank, et al., No. 16-cv-07853
Addesso, et al. v. Kingdom of Saudi Arabia, et al., No. 16-cv-09937
Aguilar, et al. v. Kingdom of Saudi Arabia, et al., No. 16-cv-09663
Hodges, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-00117
Aiken, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-00450
Charter Oak Fire Insurance Co., et al. v. Al Rajhi Bank, et al., No. 17-cv-02651
Abarca, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-03887
Arrowood Indemnity Co., et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-03908
Abedhajajreh, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-06123
Muenchener Rueckversicherungs-Gesellschaft Aktiengesellschaft in Muenchen, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-07914
Abbate, et al. v. Kingdom of Saudi Arabia, et al., No. 17-cv-08617

**DECLARATION OF J. SCOTT TARBUTTON TRANSMITTING DOCUMENTS IN
SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT AL RAJHI BANK'S
RENEWED MOTION TO DISMISS**

(Previously Filed Under Seal at ECF No. 10153)

December 7, 2024

~~UNDER SEAL SUBJECT TO MDL AND FBI PROTECTIVE ORDERS~~

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**DECLARATION OF J. SCOTT TARBUTTON TRANSMITTING DOCUMENTS IN
SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT AL RAJHI BANK'S
RENEWED MOTION TO DISMISS**

I, J. Scott Tarbutton, declare under penalty of perjury, as follows:

1. I am an attorney admitted to practice *pro hac vice* in the above-captioned matter, a member of the law firm Cozen O'Connor, and a member of the Plaintiffs' Executive Committees in this MDL litigation.

2. I respectfully submit this Declaration to transmit to the Court the following documents in support of Plaintiffs' Opposition to Defendant Al Rajhi Bank's Renewed Motion to Dismiss and Motion for Summary Judgment for Lack of Personal Jurisdiction.

~~**UNDER SEAL SUBJECT TO MDL AND FBI PROTECTIVE ORDERS**~~

3. Attached hereto as Exhibit A is a true and correct copy of Plaintiffs' Counterstatement to Al Rajhi Bank's Averment of Jurisdictional Facts and Evidence in Support of its Renewed Motion to Dismiss.

4. Attached hereto as Exhibit B is a true and correct copy of Plaintiffs' Reply to Al Rajhi Bank's Response to Plaintiffs' Averment of Jurisdictional Facts and Evidence and/or Statement of Facts Pursuant to Rule 56.1.

5. Attached hereto as Exhibit C is a true and correct copy of Plaintiffs' Objections to Evidence Cited in Al Rajhi Bank's Averment of Jurisdictional Facts and Evidence and/or Statement of Facts Pursuant to Rule 56.1.

6. Attached hereto as Exhibit D is a true and correct copy of Plaintiffs' Response to Al Rajhi Bank's Exhibit 60.

7. Attached hereto as Exhibit E is a true and correct copy of Plaintiffs-Appellants' Opening Brief, *In Re Terrorist Attacks on September 11, 2001*, Case No. 18-1201-cv(L), United States Court of Appeals for the Second Circuit, September 9, 2018.

8. Attached hereto as Exhibit F is a true and correct copy of a May 3, 2024 letter from Assistant U.S. Attorneys Sarah S. Normand and Jennifer Jude.

9. Attached hereto as Exhibit G is a true and correct copy of the Memorandum of Points and Authorities in Support of Petitioner's Motion to Quash USA Patriot Act Subpoena, *Al Rajhi Banking & Investment Corporation v. Eric H. Holder, Jr., et al.*, Case No. 1:10-mc-00055-ESH (D.D.C.), January 19, 2010.

~~UNDER SEAL SUBJECT TO MDL AND FBI PROTECTIVE ORDERS~~

10. Attached hereto as Exhibit H is a true and correct copy of the Declaration of Khalid A. Al-Thebity, *Al Rajhi Banking & Investment Corporation v. Eric H. Holder, Jr., et al.*, Case No. 1:10-mc-00055-ESH (D.D.C.), January 19, 2010.

11. Attached hereto as Exhibit I is a true and correct copy of the New York State Dept. of Financial Services Press Release, *DFS Fines Habib Bank and its New York Branch \$225 Million for Failure to Comply With Laws and Regulations Designed to Combat Money Laundering, Terrorist Financing, and Other Illicit Financial Transactions*, September 7, 2017. Also available at https://www.dfs.ny.gov/reports_and_publications/press_releases/pr1709071.

12. Attached hereto as Exhibit J is a true and correct copy of Juan C. Zarate, *Treasury's War, The Unleashing of a New Era of Financial Warfare* (2013).

13. Attached hereto as Exhibit K is a true and correct copy of the Declaration of Mary C. Williams, Central Intelligence Agency, dated July 18, 2024.

14. Attached hereto as Exhibit L is a true and correct copy of the Declaration of Mary C. Williams, Central Intelligence Agency, dated April 19, 2024.

15. Attached hereto as Exhibit M is a true and correct copy of the Declaration of Deborah Crum, Federal Bureau of Investigation, dated March 21, 2024.

Executed in Philadelphia, PA on July 22, 2024.



J. Scott Tarbutton, Esq.